



Tarryn Mento <tmento@kpbs.org>

Interview request re: City Heights mini park

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Tue, Feb 19, 2019 at 1:30 PM

Ms. Mento,

As you are aware, on November 4, 2014, voters approved [Proposition 47](#), which, among other things, reduced drug possession for personal use to a misdemeanor. So as I understand the question, very simply put yes it is true that, in keeping with the legislative intent of Prop 47, arrestees may not be booked in to jail absent certain aggravating circumstances. It is also against the law to be under the influence of or "use" a controlled substance. Suspects in those cases can be booked in to jail if probable cause exists for an officer to believe that suspect is under the influence of a controlled substance - 11550 Health & Safety Code.

The series of events you are referring to occurred in December, 2018. A suspect in those events was located on [4000 43rd Street](#) and arrested and booked in to jail. For the sake of accuracy, that suspect was not in the park but on the sidewalk in front of the park.

Todd Griffin

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